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3 UNITED STATES DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA  
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6 NELSON MOLINA,

7 Plaintiff(s),

No. C 06-4742 PJH

8 v.

**ORDER OF DISMISSAL**

9 CITY OF SAN RAFAEL, et al.,  
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11 Defendant(s).  
12 \_\_\_\_\_/

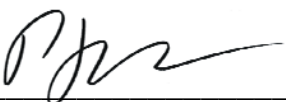
13 Counsel for plaintiff, having advised the court in writing that the parties have agreed  
14 to a settlement of this cause, IT IS HEREBY ORDERED that this cause of action is  
15 dismissed **without** prejudice; provided, however that if any party hereto shall certify to this  
16 court, within sixty (60) days, with proof of service thereof, that the agreed consideration for  
17 said settlement has not been delivered over, the foregoing order shall stand vacated and  
18 this cause shall forthwith be restored to the calendar to be set for trial.

19 The parties may substitute a dismissal **with** prejudice simply by submitting a  
20 stipulation and order for dismissal with prejudice within sixty (60) days.

21 The pretrial and trial dates are hereby VACATED.

22 IT IS SO ORDERED.

23 Dated: January 8, 2008

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PHYLLIS J. HAMILTON  
United States District Judge  
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